

REMARKS

The Office Action dated September 4, 2009 has been received and carefully studied.

The Examiner newly rejects claims 1, 2, 4-6, 18-21 and 23 under 35 U.S.C. §103(a) as unpatentable over Bray, U.S. Patent No. 3,542,119, Brown '248 and newly applied Burrows, U.S. Patent No. 5,221,473. The Examiner also rejects claims 7, 8, 10-12 and 22 as being unpatentable over Bray, Brown and Burrows, further in view of Regunathan, et al.; claim 9 as being unpatentable over Bray, Brown, burrows and Regunathan et al. and further in view of Petrucci et al.; and claim 17 as being unpatentable over Bray, Brown and Burrows in view of Regunathan et al. and further in view of Gundrum et al. The Examiner newly applies Burrows for teaching a crenellated ring at the bottom of a reverse osmosis cartridge, including locating means taking the form of patterns 160 projecting from the internal face of the bottom of the container, the ring holding a cylindrical wall 142 of a separator means at an axial distance from the face of the bottom and including recesses between crenellations forming axial abutments for the wall 142 with passages for fluid formed by the crenellations in the crenellated ring. The Examiner concludes that it would have been obvious to use the ring as taught by Burrows in

the module (of Bray?) because the ring allows water to pass through it to a central tube, allowing a less restrictive flow of fluid from the outer cylindrical space to the internal cylindrical space.

The rejections are respectfully traversed.

Applicants respectfully submit that the Examiner's characterization of the Burrows assembly is incorrect. The ring of Burrows does not hold a cylindrical wall 142 of a separator means; an adapter fitting 159 is used to engage the ribs 161, and the adapter fitting 159 is mounted into the lower end of the support tube 142. In this context, note that the instant claim 1 expressly recites that the separator means extends from the cylindrical skirt to the crenellated ring. The so-called cylindrical wall 142 of the separator means of Burrows does not so extend; it terminates at the radially extending flange of the adapter fitting 159. This requires a different construction and an additional element.

Furthermore, the Examiner provides no rational basis as to why one skilled in the art would modify Bray to include the crenulated ring of Burrows. The Examiner states that Bray teaches a loose connection between the wall 36 and the bottom to provide a flow path for fluid to flow from the exterior cylindrical space to the interior

cylindrical space. First, the loose connection is not at the bottom, but rather is between the wall 36 and the septum 44. Indeed, the wall 36 is sealed to the bottom plug 20. Second, if Bray already provides a mechanism by which fluid can flow from the exterior cylindrical space to the interior cylindrical space, why would the skilled artisan be motivated to use the Burrows crenulated ring in the Bray module to carry out the same operation already achieved by Bray? What support does the Examiner have for concluding that the ring of Burrows would allow a less restricted flow of fluid from the outer cylindrical space to the internal cylindrical space? Indeed, would not the crenulations result in more restricted flow than the simple gap of Burrows?

In addition, the instantly claimed separator means is defined as dividing the interior of the module into an external cylindrical space and an internal cylindrical space, wherein pretreatment means is housed in the external cylindrical space and the cartridge is housed in the internal cylindrical space. No such separator means is present in Burrows.

Further still, both Bray and Brown are not designed and do not have the components arranged to form a monolithic disposable module with all connections on one

side as recited in the instant claims, in order to be easily plugged into a water treatment unit. Both the prefilter and RO membranes in Bray and Brown are easily replaceable and the units are not monolithic and designed for disposal.

With particular reference to claim 6, the Examiner states that the recitation of the head and bottom being non-removable is merely a recitation of making the head and bottom integral with the housing, and that the use of a one piece construction is a matter of obvious engineering choice. However, the Examiner's importation into the claim of language that is not present is contrary to law. Claim 6 does not recite that the head and bottom are integral with the housing, and certainly embodiments exist where a non-removable head and bottom could be present as separate (but non-removable) elements. Furthermore, Brown teaches away from a non-removable head and bottom in teaching a removable cap 46, which is removable in order to replace the reverse osmosis filter cartridge 10 (column 6, lines 40-51).

With particular reference to claims 18-21, the head retainer 53d of Brown is dedicated to the postfilter that is not present in the instant device, and thus does not correspond to the nesting retainer of these claims.

The remaining claims are believed to be allowable by virtue of their dependence.

Reconsideration and allowance are respectfully requested in view of the foregoing.

Respectfully submitted,


Kevin S. Lemack
Reg. No. 32,579
176 E. Main Street - Suite 5
Westboro, Massachusetts 01581
TEL: (508) 898-1818